

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

In re:

FOSSIL FUELS, INC.

Debtor.

Case No. 2:03-bk-20334

Chapter: 7

JUDGE B. MCKAY MIGNAULT

DEFICIENCY NOTICE
REGARDING APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS

NOTICE IS HEREBY GIVEN that the Application for Payment of Unclaimed Funds in the amount of \$2,361.64 filed by Assignee, Jose T. Rubio, as representative of Claimant: Robert L. Cline in this Court on August 5, 2024, is deficient for the following reasons:

| | |
|---|--|
| | Failure to file required Application. |
| X | Failure to provide supporting documents establishing ownership and/or entitlement of <u>Robert L. Cline, on behalf of Marathon Technical Services, Inc.</u> |
| X | Failure by corporation to secure representation by counsel. |
| X | Failure of original claimant, <u>Robert L. Cline</u> to provide notarized statement to include brief history of the claim from the date of filing to present to reflect possible reasons for the funds not being deliverable at the time of original distribution. |
| X | Failure to provide Notice of Change of Address for original claimant <u>Robert L. Cline</u> . |
| | Failure to provide notarized, wet signature, contractual agreement between parties and to include the amount of compensation to be paid. |
| | Failure to submit forms and supporting documents with wet signatures. |
| | Failure to provide copy of power of attorney. |
| X | Failure to provide 2 proofs of identity for <u>Jose T. Rubio and Robert L. Cline</u> with affixed notary verification. |
| | Failure to provide AO213 Vendor Information/TIN Certification form. |
| | Failure to provide current version of AO213 Vendor Information/TIN Certification form. |
| X | Failure to properly complete AO213 Vendor Information/TIN Certification form to include: <u>Assignor, Robert L. Cline in Part 1, Line 2.</u> |
| | Failure to provide copy of Death Certificate for deceased owner of record. |
| | Failure to provide proof of name change. |
| | Other: Proof of Identity of the successor Claimant(s) (e.g., unredacted copy of driver's license |

NOTICE IS HEREBY GIVEN that the above deficiency should be corrected within ten (10) days of the date of this notice, otherwise, an order may be entered denying the Application for Payment of Unclaimed Funds.

DATED: August 8, 2024

Lesley Hoops, Clerk of Court
By: Rhonda Justice, Deputy Clerk

In re:
Fossil Fuels, Inc.
Debtor

Case No. 03-20334-BMM
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0425-2
Date Rcvd: Aug 08, 2024

User: admin
Form ID: pdf001

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 10, 2024:

| Recip ID | Recipient Name and Address |
|----------|---|
| cr | + Jose T. Rubio, Assignee for Robert L. Cline, PO Boxs 1471, Shepherdstown, WV 25443-1471 |
| cr | + Robert L. Cline, 1711 Monterey Dr., Summersville, WV 26651-1215 |

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 10, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 8, 2024 at the address(es) listed below:

| Name | Email Address |
|----------------------|--|
| Ann R. Starcher | on behalf of Creditor Integrity Coal Sales astarcher@lgcr.com |
| Casey W Baker | on behalf of Plaintiff Janet Smith Holbrook Trustee caseywbaker.law@gmail.com |
| Christopher S. Smith | on behalf of Debtor Fossil Fuels Inc. chris@hhsmlaw.com, carol@hhsmlaw.com;nickyhhsmlaw@gmail.com |
| Christopher S. Smith | on behalf of Plaintiff Fossil Fuels Inc. chris@hhsmlaw.com, carol@hhsmlaw.com;nickyhhsmlaw@gmail.com |
| Gary L. Call | on behalf of Creditor Office of Surface Mining Reclamation and Enforcement United States Department of the Interior usawvs.ecfbankruptcy@usdoj.gov |

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User: admin

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Date Rcvd: Aug 08, 2024

Form ID: pdf001

Total Noticed: 2

James R. Sheatsley

on behalf of Interested Party Official Committee Unsecured Creditors jsheatsley@gormansheatsley.org
gormansheatsley@suddenlinkmail.com

James W. Lane, Jr.

on behalf of Defendant Gauley Eagle Holdings Inc. jlane@flahertylegal.com, rkoon@flahertylegal.com

James W. Lane, Jr.

on behalf of Creditor Gauley Eagle Holdings Inc. jlane@flahertylegal.com, rkoon@flahertylegal.com

Janet Smith Holbrook

on behalf of Trustee Janet Smith Holbrook janet.holbrook@dinsmore.com jamie.bishop@dinsmore.com

Janet Smith Holbrook

bankruptcy.trustee@dinsmore.com jamie.bishop@dinsmore.com;jsh@trustesolutions.net

Janet Smith Holbrook

on behalf of Plaintiff Janet Smith Holbrook Trustee janet.holbrook@dinsmore.com, jamie.bishop@dinsmore.com

L. Wayne Williams

on behalf of Creditor West Virginia State Tax Department wayne.williams@wvago.gov

Larry M. Bonham

on behalf of Creditor WV Insurance Commissioner larry.m.bonham@wv.gov

Marye L. Wright

on behalf of Creditor WV Bureau of Employment Programs Unemployment Compensation Division
larry.bonham@wvinsurance.gov

Robert L. Nistendirk

bankruptcy@wnacpas.com

Robert M Stonestreet

on behalf of Interested Party Atlantic Leaseco LLC rstonestreet@babstcalland.com, sburgess@babstcalland.com

Spencer D. Elliott

on behalf of Creditor Integrity Coal Sales selliot@lgcr.com

U.S. Trustee

ustpregion04.ct.ecf@usdoj.gov

William F. Dobbs, Jr.

on behalf of Plaintiff Pardee Minerals LLC wdobbs@jacksonkelly.com, eamandus@ecf.courtdrive.com

TOTAL: 19